

DRAFT 10-29-13.2

WYOMING GAME AND FISH COMMISSION

CHAPTER 29

ISSUANCE AND SALE OF WYOMING INTERSTATE GAME TAGS

Section 1. Authority. This regulation is promulgated by authority of W.S. §23-1-302, §23-1-701, §23-2-101, §23-2-302, §23-3-106, §23-3-205, §23-6-111 and §23-6-207.

~~**Section 2. Regulation.** The Wyoming Game and Fish Commission hereby adopts the following regulation governing the issuance and sale of Wyoming Interstate game tags. The Commission authorizes the Department to develop and maintain policies, processes and procedures necessary to carry out the provisions of this Chapter. This regulation shall remain in effect until modified or repealed by the Commission.~~

~~**Section 32. Definitions.** For the purpose of this regulation, definitions~~**Definitions** shall be as set forth in Title 23, Wyoming Statutes, **Commission regulations**, and the Commission also adopts the following definitions:

- (a) "Approved records" means invoice forms approved by the Regional Wildlife Supervisor or Taxidermist Record forms supplied by the Department.
- (b) "Game specimen(s)" means big game animals, trophy game animals, small game animals, game birds and game fish or parts thereof.
- (c) "Game tag" means Wyoming interstate game tag.
- (d) "Game tag distributor" means the entity authorized by the Department to act for the purpose of selling and accounting for game tags. Game tag distributor does not mean agency principal.
- (e) "Game tag sub-agent" means an individual in employ of, or responsible to, the game tag distributor and authorized by the Department to sell game tags.
- (f) "Properly completed" means all required portions of the game tag affidavit are completed with correct applicant information including the applicant's name, address, kind and amount of wildlife to be shipped or transported, hunter's name and license number, hunt area, harvest date, location, signatures of the applicant and game tag distributor or game tag sub-agent.

Section 43. Issuance of Game Tags.

- (a) No individual shall issue a game tag prior to completion of a Wyoming interstate game tag affidavit in triplicate on a form provided by the Department. Game tag distributors may, upon the written approval of the Regional Wildlife Supervisor, incorporate the game tag affidavit information into the game tag distributor's own business invoice.
- (b) The original copy of the affidavit form shall accompany any game specimen(s) or parts thereof which shall be shipped or transported. A game tag distributor may game tag and ship any game specimen(s) of a nonedible nature that was taken outside of the State of Wyoming if the game tag distributor lists numbers of all game tags attached to the game specimen(s) and completes information documenting origin of said game specimen(s) on provided or approved record forms.

(c) The game tag affidavit shall be deemed null and void unless it has been properly completed and signed by the applicant and the game tag distributor or game tag sub-agent at the time the game tag is issued. In the event that an affidavit cannot be properly completed or any imported game specimen has been received by a game tag distributor without proper documentation, approval of a Department law enforcement officer shall be secured prior to the issuance of a game tag. A game tag distributor or game tag sub-agent shall properly complete a game tag affidavit or receive approval from a Department law enforcement officer prior to the issuance of a game tag.

(d) The information required and the format of the Department's interstate game tag affidavit shall not be altered.

Section 54. Distribution, Reporting and Game Tag Commission.

~~(a) Any person or entity requesting to sell game tags shall apply to the Department to become a game tag distributor. The Department shall determine if there is a need to approve the application based on a recommendation from the Regional Wildlife Supervisor.~~

~~(b)~~ Game tag distributors shall account for all game tags which have been sold by the distributor(s) or sub-agent(s) by providing to the Department the duplicate copy of the interstate game tag affidavit form or by providing to the Department a duplicate copy of the records of the game tag distributor on a form approved by the Department. Game tag distributors shall deliver a complete accounting of all game tags sold, unsold game tags, all fees and completed affidavits from game tags which have been sold to the Department enforcement officer who issued the same to the game tag distributor on or before January 10 of the year following for which the game tags were valid. Taxidermists who are game tag distributors shall comply with the provisions of ~~Wyoming Game and Fish Commission Regulation Chapter 36, Regulations Governing Taxidermists.~~

~~(c)~~ Game tag distributors shall receive a commission of two dollars (\$2.00) for each game tag sold. Upon review and audit of each game tag distributor's annual report by the License Section of the Department, the game tag distributor shall be reimbursed for the amount of commission established in this subsection for each game tag sold.

~~(d)~~ Game tag selling sub-agents shall be accountable to the game tag distributor for all aspects of proper transaction of sale and issuance of game tags.

Section 65. Oath of Office.

~~(a)~~ All game tag distributors and game tag sub-agents shall be required to execute an Oath of Office prior to the issuance and sale of game tags. The Oath of Office for resident game tag distributors and sub-agents shall be maintained on file by the Department. The Oath of Office for nonresident game tag distributors and sub-agents shall be maintained on file at the Wyoming Game and Fish Department, Wildlife Division Law Enforcement, 5400 Bishop Boulevard, Cheyenne, Wyoming, 82006.

Section 76. Inspection of Records.

~~(a)~~ All game tag distributors shall maintain true and correct records of game tags issued to the distributor and sold by the distributor or sub-agent on the premises of the entity from which the game tags are sold. ~~Game tag distributors shall allow inspection of business premises and records dealing with game tags during reasonable business hours by Department law enforcement personnel.~~

Section 87. Suspension or Revocation of Game Tag Distributors. Game tag distributors may be suspended or revoked by the Department for the following reasons:

(a) Conviction of violation of Title 23 State statutes or Commission regulations; or,

(b) The game tag distributor refused to allow Department law enforcement personnel to inspect the business premises and records dealing with game tags during reasonable business hours; or,

(c) The game tag distributor failed to keep or submit properly completed game tag affidavit records to the Department by January 10 of the year following for which the game tags were valid; or,

(d) The game tag distributor failed to return to the Department by January 10 of each year all unsold game tags or to pay in full the fee for all game tags sold the previous year.

~~**Section 9. Violation of Commission Regulations.** Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming statutes for violations of Commission regulations.~~

~~**Section 10. Savings Clause.** If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end the provisions of this regulation are severable.~~

WYOMING GAME AND FISH COMMISSION

By: _____
~~Jerry Galles~~ **Mike Healy**, President

Dated: ~~August 1, 2008~~ **January 22, 2014**